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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,826	07/28/2003	Frederico Buchholz Maciel	1213.42974X00	3773
24956 7590 10/11/2007 MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314			EXAMINER DAILEY, THOMAS J	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 10/11/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/627,826	<b>Applicant(s)</b> MACIEL ET AL.	
	<b>Examiner</b> Thomas J. Dailey	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,5 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5 and 7-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 2-4 and 6 were canceled by the amendment filed on August 21, 2007.
2. Claims 1, 5, and 7-11 are pending.

***Response to Arguments***

3. Applicant's arguments filed August 21, 2007 have been fully considered but they are not persuasive.
4. The applicant has amended independent claims 1 and 11 and argues that Kikuchi (US Pub. No. 2002/0001475) fails to disclose "displaying management information on a specified container mechanism wherein the container mechanism side includes a first display and the management operation information is displayed on the first display."
5. The examiner disagrees. Kikuchi discloses displaying management information on a specified container mechanism wherein the container mechanism side includes a first display and the management operation information is displayed on the first display ([0026], the operation panel on a copying machine (container mechanism) displays that the copy machine has malfunctioned and needs repair (management information)).

6. Secondly, the applicant argues that Kikuchi does not disclose, “informing a result of the management operation to the management unit, and determining whether an error exists in the result of the management operation, and if an error is found, informing the container mechanism side of the occurrence of the error.”
7. The examiner disagrees. Kikuchi discloses informing a result of the management operation to the management unit ([0036], the management server is periodically updated so it will be aware of any result due to any operation), and determining whether an error exists in the result of the management operation, and if an error is found, informing the container mechanism side of the occurrence of the error ([0039], lines 10-15, any time an error occurs the management server is made aware of it, and will additionally alert the copying machine as discloses in [0026]).
8. Lastly, the applicant argues that Kikuchi does not disclose “transmitting the management operation to an equipment connected to the data processing device, wherein the equipment includes a second display; and displaying the management operation information on the second display of the equipment.”
9. The examiner disagrees. Kikuchi discloses transmitting the management operation to an equipment connected to the data processing device, wherein the equipment includes a second display ([0040], a service person receives “details

of maintenance or inspection" via a mobile phone (equipment) such information is substantially the same to as that given to the copying machine, "Also, the management server transmits, to the copying machine, a message indicating necessary maintenance or inspection details"; and displaying the management operation information on the second display of the equipment ([0040]).

***Claim Rejections - 35 USC § 112***

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 7-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

12. Claims 7-9 depend from the now cancelled claim 6. For the purposes of this office action, the examiner will interpret them as depending from claim 1.

***Claim Rejections - 35 USC § 102***

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

14. Claims 1, 5, 7-11 are rejected under 35 U.S.C. 102(e) as being anticipated by

Kikuchi et al (US Pub. No. 2002/0001475), hereafter "Kikuchi."

15. As to claim 1, Kikuchi discloses a method for managing data processing devices,

which is applied to a system in which a plurality of container mechanisms are provided, each of which contains a plurality of data processing devices ([0024], copying machines read on container mechanisms), and a management unit is provided which monitors each data processing device to collect information concerning a state of the data processing device ([0036], management server reads on management unit), and orders a management operation to be performed on the data processing device based on the collected information ([0042], lines 10-17),

the method for managing data processing devices (Abstract) comprising:

specifying a container mechanism containing a data processing device on which a management operation needs to be performed ([0025]-[0026], copy machine detects a malfunction, anything that malfunctions reads on a data processing device, and notifies the management server that it needs repair); and displaying management operation information on a specified container mechanism side ([0026]),

wherein the container mechanism side includes a first display and the management operation information is displayed on the first display ([0026], the operation panel on a copying machine (container mechanism) displays that the copy machine has malfunctioned and needs repair (management information)),

informing a result of the management operation to the management unit ([0036], the management server is periodically updated so it will be aware of any result due to any operation), and determining whether an error exists in the result of the management operation, and if an error is found; informing the container mechanism side of the occurrence of the error ([0039], lines 10-15, any time an error occurs the management server is made aware of it, and will additionally alert the copying machine as discloses in [0026]),

transmitting the management operation to an equipment connected to the data processing device, wherein the equipment includes a second display ([0040], a service person receives "details of maintenance or inspection" via a mobile phone (equipment) such information is substantially the same to as that given to the copying machine, "Also, the management server transmits, to the copying machine, a message indicating necessary maintenance or inspection details"; and displaying the management operation information on the second display of the equipment ([0040]).

16. As to claim 11, Kikuchi discloses a data processing device management system (Abstract), comprising:

a plurality of container mechanisms that each contain a plurality of data processing devices ([0024]);

a monitoring unit that monitors a state of each data processing device in each container mechanism ([0036]); and

a management unit that collects information concerning the state of the data processing device from the monitoring unit via a communication unit ([0036]), and creates management operation information based on the collected information ([0032], lines 3-9 and [0039], lines 10-15),

wherein each container mechanism includes a display unit that displays management operation information ([0026]),

wherein the management unit includes a remote display unit that transmits the management operation information to the display unit of a container mechanism containing a data processing device on which a management operation needs to be performed ([0039], lines 10-15 and [0040], management server sends an email to the mobile phone of a service person with information regarding the copy machine), and

wherein a result of the management operation is provided to the management unit ([0036], the management server is periodically updated so it will be aware of any result due to any operation), and determination is made whether an error exists in the result of the management operation, and if an error is found, the container mechanism side is informed of the occurrence of the error ([0039], lines



10-15, any time an error occurs the management server is made aware of it, and will additionally alert the copying machine as discloses in [0026]).

17. As to claim 5, Kikuchi discloses one of the data processing devices and the container mechanism includes a wireless communication unit ([0040], lines 1-5), and

wherein the position of the specified container mechanism is identified, the management operation information is transmitted to the wireless communication unit via a relay unit whose communication range contains the identified position of the container mechanism ([0071]), and

the transmitted management operation information is displayed on the container mechanism side ([0040], lines 1-5).

18. As to claim 7, Kikuchi discloses the equipment is a monitoring agent that is connected to the data processing device and monitors the state of the data processing device ([0030]), and

wherein the management operation information is received by the monitoring agent and is displayed on a display of the monitoring agent ([0040], lines 5-11).

19. As to claim 8, Kikuchi discloses the equipment is a display connected to the data processing device, and wherein the management operation information is

received by the data processing device and is displayed on the display ([0040], lines 5-11).

20. As to claim 9, Kikuchi discloses the equipment is a portable terminal including a display portion (Fig. 1, label 60), and

wherein the management operation information is received by the data processing device ([0040], lines 5-11), the data processing device transmits the management operation information to the portable terminal when the portable terminal and the data processing device are connected to each other ([0040], lines 1-5), and the management operation information is displayed on the display portion ([0040], lines 1-5).

21. As to claim 10, Kikuchi discloses the management operation information contains an operation target and an operation procedure ([0071] and [0042], lines 10-17),

wherein the specification of the container mechanism is performed by a management apparatus ([0071]), and wherein the displaying of the management operation information is performed by a data processing device at a distance from the management apparatus ([0040], lines 1-5).

### ***Conclusion***

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

23. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

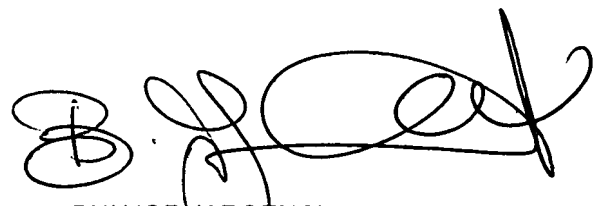
24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is 571-270-1246. The examiner can normally be reached on Monday thru Friday; 9:00am - 5:00pm.

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
TJD  
10/5/2007

  
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SUPERVISORY PATENT EXAMINER  
10/9/07